

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

SONIA L.-B.,¹

Plaintiff,

v.

CIVIL NO. 2:24-cv-91

CAROLYN W. COLVIN,²
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

FINAL ORDER

This matter comes before the court on Plaintiff's Objections to the Report and Recommendation ("R&R"), filed on January 3, 2025, ECF No. 14. The R&R recommended that the relief requested in Plaintiff's "Brief in Support of a Social Security Appeal" be denied; the relief requested in the Defendant Acting Commissioner of Social Security's ("the Commissioner") "Brief in Support of Commissioner's Decision Denying Disability Benefits," be granted; and the decision of the Commissioner be affirmed. ECF No. 13 at 49.

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

² On November 30, 2024, Carolyn W. Colvin became the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is hereby substituted as the Defendant in this suit.

I.

In 2016, Plaintiff was found disabled and awarded disability benefits. Admin. R. 100-107, 150. On August 15, 2019, as part of a continuing disability review, an Administrative Law Judge ("ALJ") found that Plaintiff was no longer entitled to benefits due to her medical improvement. Id. at 112-14, 120. Following a series of unsuccessful agency appeals, Plaintiff filed a Complaint in this court on February 9, 2024. ECF No. 1. Plaintiff seeks judicial review of the Commissioner's final decision that Plaintiff is no longer disabled. ECF No. 1 at 2. The court will not detail the facts and procedural background of this case, which are fully set forth in the Magistrate Judge's R&R, as well as the administrative record. See ECF No. 13, Part I at 2-4 ("Procedural Background"), Part II at 5-23 ("Factual Background"). The court thus proceeds to the dispute at hand.

On April 9, 2024, this matter was referred to the United States Magistrate Judge Douglas E. Miller, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct necessary hearings, including evidentiary hearings, and to submit to the undersigned district judge proposed finds of fact, if applicable, and recommendations for the disposition of the matter. ECF No. 6.

Plaintiff filed her "Brief in Support of a Social Security Appeal" on July 2, 2024. ECF No. 10. On July 31, 2024, the

Commissioner filed a "Brief in Support of Commissioner's Decision Denying Disability Benefits." ECF No. 11. Plaintiff filed a Reply on August 21, 2024. ECF No. 12. The Magistrate Judge's R&R was filed on December 20, 2024. ECF No. 13. Again, the R&R recommended that the relief requested in Plaintiff's Brief in Support of a Social Security Appeal be denied, the relief requested in the Commissioner's Brief be granted, and the decision of the Commissioner be affirmed. Id. at 49.

By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 49-50. Plaintiff filed Objections on January 3, 2025, ECF No. 14, and the Commissioner's Response was filed on January 16, 2025, ECF No. 15.

II.


Plaintiff raises two (2) objections to the R&R. First, Plaintiff objects to the Magistrate Judges' "seemingly narrow interpretation of Owens v. Saul." ECF No. 14 at 1; see R&R, at 42-45. Second, Plaintiff objects to the Magistrate Judge's finding that the ALJ properly considered all factors when evaluating the opinions of Drs. Camden and Hutchenson. ECF No. 14 at 3; see R&R, at 45-48. The court conducted a de novo review of the record. After conducting such review, the court finds no error in the Magistrate Judge's interpretation of Owens v. Saul, 2019 WL 7900070

(D.S.C. Oct. 10, 2019), an unpublished opinion from the United States District Court for the District of South Carolina. The court similarly finds no error in the Magistrate Judge's conclusion that the ALJ's medical opinion analysis was supported by substantial evidence and was not legally erroneous.

Having reviewed the record in its entirety and examined the Objections filed by Plaintiff to the R&R, and having made de novo findings with respect to the portions objected to, the court accepts and agrees with the Magistrate Judge's R&R and conclusion and finds no error. Accordingly, the court hereby **OVERRULES** Plaintiff's Objections, ECF No. 14, and **ADOPTS AND APPROVES IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on December 20, 2024, ECF No. 13. Accordingly, the relief requested in Plaintiff's Brief in Support of a Social Security Appeal, ECF No. 10, is **DENIED**, and the relief requested in the Commissioner's Brief, ECF No. 11, is **GRANTED**. The decision of the Commissioner is **AFFIRMED**, and this matter is **DISMISSED WITH PREJUDICE**.

The Clerk is **DIRECTED** to enter judgment in favor of the Commissioner, close the case on this court's docket, and send a copy of this Final Order to counsel for the parties.

IT IS SO ORDERED.

/s/ 
Rebecca Beach Smith
Senior United States District Judge

REBECCA BEACH SMITH
SENIOR UNITED STATES DISTRICT JUDGE

February 11, 2025